



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB4036

Introduced 2/27/2009, by Rep. Patricia R. Bellock

#### SYNOPSIS AS INTRODUCED:

225 ILCS 605/3.3 new  
225 ILCS 605/3.4 new

Amends the Animal Welfare Act. Prohibits an animal shelter or animal control facility from adopting out any dog or cat that has not been microchipped or sterilized in a manner acceptable to the Department of Agriculture, unless the person wishing to adopt an animal prior to the performance of the required procedures has executed a written agreement promising to have the procedures performed within a specified period of time not to exceed 30 days. Provides that failure by an owner to meet the conditions of the written agreement shall result in forfeiture of the animal. Prohibits the release of any animal by an animal shelter or animal control facility to an individual representing an animal shelter, unless the recipient animal shelter has been licensed or has a foster care permit issued by the Department or the individual is a representative of a not-for-profit, out-of-State organization. Effective immediately.

LRB096 00135 RAS 10136 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Animal Welfare Act is amended by adding  
5 Sections 3.3 and 3.4 as follows:

6 (225 ILCS 605/3.3 new)

7 Sec. 3.3. Adoption of dogs and cats; microchipping and  
8 sterilization required. No animal shelter or animal control  
9 facility may adopt out any dog or cat that has not been  
10 microchipped and sterilized in a manner acceptable to the  
11 Department, unless the person wishing to adopt an animal prior  
12 to the procedures having been performed has executed a written  
13 agreement promising to have the procedures, including  
14 microchipping, performed within a specified period of time not  
15 to exceed 30 days. Failure by an owner to meet such conditions  
16 shall result in forfeiture of the animal. The animal control  
17 facility or animal shelter shall reclaim the animal within 7  
18 days after the expiration of the written agreement. Any animal  
19 control facility or animal shelter that fails to reclaim an  
20 animal within the 7-day period set forth in this Section shall  
21 be subject to civil penalties under this Act.

22 (225 ILCS 605/3.4 new)

1       Sec. 3.4. Release of animals to shelters. An animal shelter  
2       or animal control facility may not release any animal to an  
3       individual representing an animal shelter, unless the  
4       recipient animal shelter has been licensed or has a foster care  
5       permit issued by the Department or the individual is a  
6       representative of a not-for-profit, out-of-State organization.

7       Section 99. Effective date. This Act takes effect upon  
8       becoming law.